(6)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR.

W.P.NO. 2181 OF 2001.

PETITIONERS : 1. Amrik Singh,
S/o. Shri Gulzar Singh,
aged about years,

2. Akbal Singh,
S/o. Gulzar Singh,
aged about years,

Both R/o. Geedam Road,
Jagdalpur, Distt. Bastar.

3. Nemichand Jain s/o
Roopchand Jain, Geedam
District Dantewada

V E R S U S

RESPONDENTS : 1. State of Chhattisgarh,
through : The Secretary
Forest Department,
Mantralaya, Raipur(C.G.

2. The Addl. Chief
Conservator Forest,
(Production) Bhopal.

3. The Conservator of
Forest Jagdalpur
Circle, Jagdalpur(C.G.)

4. The D.F.O.
Bijapur, Distt.
Dantewada (C.G.)

P.R. No. 2162/01
Presented by Shri S. Bhansut
10/10/01

WRIT PETITION UNDER ARTICLE 226 & 227 OF THE CONSTITUTION OF INDIA.

Details of petition

1. Particulars of petitioner :

As per cause title.

contd...2..

(114)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. No. 2181/2001 सन् 2001

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	02.07.2002	

Shri Prafulla Bharat, learned counsel for the petitioner.

Shri Sanjay K. Agrawal, learned Dy.Advocate-General for the State.

Having heard learned counsel, the Court is not inclined to entertain this Writ Petition, as in its opinion, the remedy lies before a common law forum.

The petitioner had entered into a contract with the D.F.O. Bijapur for transportation of Bamboo. Admittedly, the payment was to be made on the basis of per metric tones of Bamboo transported. According to the petitioner, since the circumference of Bamboo to be transported was increased, it resulted in causing loss of transportation charges for carriage of bamboo, due to which he has sustained huge loss.

The period of contract is over and in substance, the claim of the petitioner is for damages suffered by him. Therefore, as observed, the appropriate remedy for the petitioner is to approach a common law forum or to go for Arbitration if the contract so provides.

With this observation, the petition stands disposed of.

Sd/-
P.C.Naik
Judge

Anjani

पक्ष लेखक